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THE CENTER FOR MEDICAL PROGRESS,
BIOMAX PROCUREMENT SERVICES, LLC,
AND DAVID DALEIDEN

**UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA**

NATIONAL ABORTION FEDERATION)	Case No. 3:15-cv-3522 (WHO)
(NAF),)	
)	Judge William H. Orrick, III
Plaintiff,)	
vs.)	DEFENDANTS' ADMINISTRATIVE
)	MOTION TO FILE UNDER SEAL
THE CENTER FOR MEDICAL)	
PROGRESS; BIOMAX PROCUREMENT)	
SERVICES, LLC; DAVID DALEIDEN (aka)	
"ROBERT SARKIS"); and TROY)	
NEWMAN,)	
)	
Defendants.)	

INTRODUCTION

Defendants Center for Medical Progress, Biomax Procurement Services, LLC, and David Daleiden (together, “Defendants”) respectfully request that this Court file specified portions of (1) Defendants’ Motion to Clarify TRO As It Relates to Nucatola Transcript and (2) exhibits 1-2 of the Defendants’ Motion to Clarify TRO As It Relates to Nucatola Transcript under seal pursuant to Local Rule 7-11 and 79-5 as well as this Court’s Standing Order on the same, or that, in the alternative, it affirmatively rule that such information is not subject to sealing.

CERTIFICATIONS

1. Defendants certify they have reviewed and complied with this Court’s Standing Order On Administrative Motions To File Under Seal.

2. Defendants certify they have reviewed and complied with Civil Local Rule 79-5.

3. Defendants identify the following portions of the documents be sealed or redacted:

a. Defendants’ Motion to Clarify TRO As It Relates to Nucatola Transcript:

i. Table of Authorities, sources 1, 4-13 under “Websites and Articles;”

ii. A summary of the statements NAF argues are confidential at the top of page 2;

iii. Several paragraphs referring to specific statements or names from the Nucatola conversation and additional references regarding this information: Paragraph 2 on page 5 through the top of page 7.

b. Exhibit 1 of the Defendants’ Motion to Clarify TRO As It Relates to Nucatola Transcript:

i. The name of an individual and his job title from page 1

ii. The last paragraph of page 1

iii. The first three paragraphs of page 2

c. Exhibit 2 of the Defendants’ Motion to Clarify TRO As It Relates to Nucatola Transcript:

i. The second half of the second full paragraph on page 2 through the top of page 3.

1 ii. The name and affiliation of an individual in the first full paragraph on the top
2 of page 3.

3 4. Matters discussed in the Motion to Clarify and attached exhibits relate to whether
4 certain information is confidential and/or subject to restrictions on disclosure under the Court's
5 August 3, 2015 Temporary Restraining Order ("TRO"). For the reasons stated in the sealed
6 Motion, Defendants do not believe that this information is confidential or subject to the TRO.
7 Plaintiff, however, contends that the information is highly confidential and should be restricted
8 from disclosure. At Plaintiff's request, the parties have agreed to request sealing of this Motion
9 until the Court may resolve these disputed issues.

10 5. Defendant certifies that all other materials required by Local Rule, including
11 courtesy copies and a proposed Order, will be tendered in the correct format.

12
13 **CONCLUSION**

14 For the reasons stated, Defendants Center for Medical Progress, Biomax Procurement
15 Services, LLC, and David Daleiden respectfully request that this Court file specified portions of (1)
16 Defendants' Motion to Clarify TRO As It Relates to Nucatola and (2) exhibits 1-3 of the
17 Defendants' Motion to Clarify TRO As It Relates to Nucatola Transcript under seal, or that, in the
18 alternative, it affirmatively rule that such information is not subject to sealing.

19
20 Respectfully submitted,

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